

SENATE, No. 4310

STATE OF NEW JERSEY 218th LEGISLATURE

INTRODUCED DECEMBER 9, 2019

Sponsored by:

Senator RICHARD J. CODEY

District 27 (Essex and Morris)

Senator CHRISTOPHER "KIP" BATEMAN

District 16 (Hunterdon, Mercer, Middlesex and Somerset)

Assemblywoman LINDA S. CARTER

District 22 (Middlesex, Somerset and Union)

Assemblywoman CAROL A. MURPHY

District 7 (Burlington)

Assemblywoman YVONNE LOPEZ

District 19 (Middlesex)

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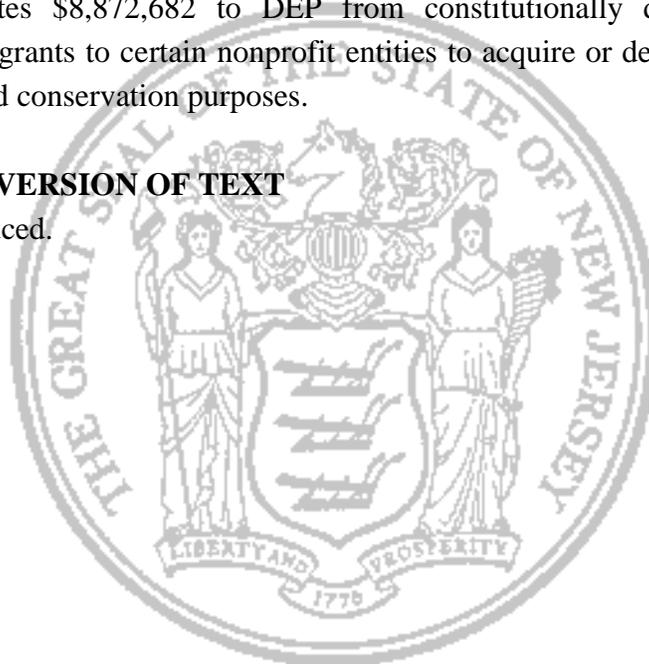
Senators Doherty, Ruiz, Turner and Weinberg

SYNOPSIS

Appropriates \$8,872,682 to DEP from constitutionally dedicated CBT revenues for grants to certain nonprofit entities to acquire or develop lands for recreation and conservation purposes.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 1/14/2020)

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1 AN ACT appropriating \$8,872,682 from constitutionally dedicated
2 corporation business tax revenues to provide grants to assist
3 qualifying tax exempt nonprofit organizations to acquire or
4 develop lands for recreation and conservation purposes.

5
6 **BE IT ENACTED** by the Senate and General Assembly of the State
7 of New Jersey:

8
9 1. a. There is appropriated to the Department of Environmental
10 Protection the sum of \$8,872,682 from the dedicated corporation
11 business tax revenues pursuant to Article VIII, Section II, paragraph
12 6 of the State Constitution in the “Preserve New Jersey Green Acres
13 Fund,” established pursuant to section 6 of the “Preserve New
14 Jersey Act,” P.L.2016, c.12 (C.13:8C-48), and the unexpended
15 balances in the Diesel Risk Mitigation Fund – Constitutional
16 Dedication account and the Diesel Risk Mitigation Fund
17 Administrative Costs – Constitutional Dedication account made
18 available for this purpose pursuant to the provisions of P.L.2019,
19 c.150, for the purpose of providing grants to assist qualifying tax
20 exempt nonprofit organizations to acquire lands for recreation and
21 conservation purposes pursuant to subsection b. of this section, to
22 develop lands for recreation and conservation purposes pursuant to
23 subsection c. of this section, and to undertake stewardship activities
24 pursuant to subsection d. of this section:

25 b. The following projects for the acquisition of lands for
26 recreation and conservation purposes are eligible for funding with
27 the moneys appropriated pursuant to subsection a. of this section:

28

Nonprofit Organization	Project	County	Municipality	Approved Amount
(1) Beautiful Mountainside	Levi Cory Park Acq	Union	Mountainside Boro	\$250,000
(2) D & R Greenway Land Trust	Greenway Acq	Burlington	Beverly City Bordentown City Bordentown Twp Burlington City Burlington Twp Chesterfield Twp Cinnaminson Twp Delanco Twp Delran Twp Edgewater Park Twp Fieldsboro Boro Florence Twp Hainesport Twp Mansfield Twp Maple Shade Twp Moorestown Twp Mount Holly Twp Mount Laurel Twp Palmyra Boro Riverside Twp Riverton Boro Springfield Twp Westampton Twp Willingboro Twp	500,000

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		Camden	Audubon Boro Audubon Park Boro Brooklawn Boro Camden City Cherry Hill Twp Collingswood Boro Gloucester City Haddon Heights Boro Haddon Twp Haddonfield Boro Merchantville Boro Mount Ephraim Boro Oaklyn Boro Pennsauken Twp Woodlynne Boro	
		Cumberland	Deerfield Twp Fairfield Twp Greenwich Twp Hopewell Twp Stow Creek Twp Upper Deerfield Twp	
		Gloucester	National Park Boro West Deptford Twp Westville Boro	
		Hunterdon	All municipalities	
		Mercer	All municipalities	
		Middlesex	All municipalities	
		Monmouth	All municipalities	
		Morris	All municipalities	
		Salem	Elsinboro Twp Lower Alloways Creek Twp Mannington Twp Pennsville Twp	
		Somerset	All municipalities	
(3) Friends of Hopewell Quarry, Inc.	Quarry Swim Club	Mercer	Hopewell Twp	250,000
(4) Friends of Hopewell Valley Open Space	Hopewell Valley Park Acq	Mercer	Ewing Twp Hopewell Boro Hopewell Twp Lawrence Twp Pennington Boro	250,000
(5) Friends of Princeton Open Space	Millstone River Watershed	Mercer	Princeton Boro	250,000
(6) Greater Culver Lake Watershed Conservation Foundation	Watershed Protection Program	Sussex	Frankford Twp	250,000
(7) Hunterdon Land Trust	Hunterdon Open Space Plan Priority Areas	Hunterdon	All municipalities	250,000
(8) Lamington	Central	Hunterdon	Readington Twp	210,772

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Conservancy	Lamington Project		Tewksbury Twp	
		Morris	Chester Twp Washington Twp	
		Somerset	Bedminster Twp Peapack-Gladstone Boro	
(9) Monmouth Conservation Foundation	Open Space Plans 2	Monmouth	All municipalities	250,000
(10) New Jersey Conservation Foundation	Priority Area Acq	Atlantic	Buena Vista Twp Egg Harbor City Egg Harbor Twp Estell Manor City Folsom Boro Galloway Twp Hamilton Twp Hammonton Town Mullica Twp Weymouth Twp	500,000
		Burlington	Bass River Twp Beverly City Bordentown City Bordentown Twp Burlington City Burlington Twp Chesterfield Twp Cinnaminson Twp Delanco Twp Delran Twp Evesham Twp Fieldsboro Boro Florence Twp Mansfield Twp Medford Twp New Hanover Twp North Hanover Twp Pemberton Twp Shamong Twp Southampton Twp Springfield Twp Tabernacle Twp Washington Twp Woodland Twp	
		Camden	Camden City Merchantville Boro Pennsauken Twp	
		Cape May	Lower Twp Middle Twp	
		Cumberland	Fairfield Twp Greenwich Twp Hopewell Twp Maurice River Twp Millville City Stow Creek Twp Upper Deerfield Twp Vineland City	
		Gloucester	Logan Twp South Harrison Twp Woolwich Twp	
		Hunterdon	Alexandria Twp Bethlehem Twp Clinton Twp Delaware Twp	

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	East Amwell Twp
	Franklin Twp
	Frenchtown Boro
	Holland Twp
	Kingwood Twp
	Lambertville City
	Lebanon Boro
	Lebanon Twp
	Milford Boro
	Raritan Twp
	Readington Twp
	Stockton Boro
	Tewksbury Twp
	West Amwell Twp
Mercer	East Windsor Twp
	Ewing Twp
	Hamilton Twp
	Hightstown Boro
	Hopewell Twp
	Lawrence Twp
	Trenton City
	Princeton Boro
	Robbinsville Twp
	West Windsor Twp
Middlesex	Edison Twp
Monmouth	Allentown Boro
	Millstone Twp
	Upper Freehold Twp
Morris	All municipalities
Ocean	Lacey Twp
	Ocean Twp
	Plumsted Twp
Passaic	West Milford Twp
Salem	Alloway Twp
	Carneys Point Twp
	Elmer Boro
	Elsinboro Twp
	Lower Alloways Creek Twp
	Mannington Twp
	Oldmans Twp
	Pennsville Twp
	Pilesgrove Twp
	Pittsgrove Twp
	Quinton Twp
	Upper Pittsgrove Twp
	Woodstown Boro
Somerset	Bedminster Twp
	Bernards Twp
	Bernardsville Boro
	Branchburg Twp
	Bridgewater Twp
	Far Hills Boro
	Hillsborough Twp
	Montgomery Twp
	Peapack-Gladstone Boro
	Raritan Boro
Sussex	Andover Twp
	Byram Twp
	Frankford Twp
	Green Twp
	Hampton Twp
	Hopatcong Boro

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			Sparta Twp Vernon Twp Wantage Twp	
		Union	Linden City Springfield Twp Union Twp	
		Warren	Blairstown Twp Franklin Twp Frelinghuysen Twp Greenwich Twp Hardwick Twp Harmony Twp Lopatcong Twp Mansfield Twp Pohatcong Twp Washington Twp White Twp	
(11) Open Space Institute Land Trust	Project Priority Areas	Bergen	All municipalities	250,000
		Hudson	All municipalities	
		Morris	All municipalities	
		Warren	All municipalities	
(12) Passaic River Coalition	Passaic River Preservation Project	Bergen	Allendale Boro Elmwood Park Boro Fair Lawn Boro Franklin Lakes Boro Garfield City Glen Rock Boro Hohokus Boro Lyndhurst Twp Mahwah Twp Midland Park Boro Montvale Boro Oakland Boro Ramsey Boro Ridgewood Village Rochelle Park Twp Rutherford Boro Saddle Brook Twp Saddle River Boro Upper Saddle River Boro Waldwick Boro Wallington Boro Wyckoff Twp	250,000
		Essex	Belleville Twp Caldwell Boro Cedar Grove Twp Essex Fells Twp Fairfield Twp Glen Ridge Boro Livingston Twp Millburn Twp Montclair Twp Newark City North Caldwell Boro Nutley Twp Roseland Boro Verona Twp West Caldwell Twp West Orange Twp	
		Morris	Boonton Town Boonton Twp Butler Boro Chatham Boro	

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			Chatham Twp	
			Chester Twp	
			Denville Twp	
			Dover Town	
			East Hanover Twp	
			Florham Park Boro	
			Hanover Twp	
			Harding Twp	
			Jefferson Twp	
			Kinnelon Boro	
			Lincoln Park Boro	
			Long Hill Twp	
			Madison Boro	
			Mendham Boro	
			Mendham Twp	
			Montville Twp	
			Morris Plains Boro	
			Morris Twp	
			Morristown Town	
			Mount Arlington Boro	
			Parsippany-Troy Hills Twp	
			Pequannock Twp	
			Randolph Twp	
			Riverdale Boro	
			Rockaway Boro	
			Rockaway Twp	
			Roxbury Twp	
		Passaic	Bloomington Boro	
			Clifton City	
			Hawthorne Boro	
			Little Falls Twp	
			Passaic City	
			Paterson City	
			Pompton Lakes Boro	
			Ringwood Boro	
			Totowa Boro	
			Wanaque Boro	
			Wayne Twp	
			West Milford Twp	
			Woodland Park Boro	
		Somerset	Bernards Twp	
			Bernardsville Boro	
			Far Hills Boro	
			Warren Twp	
		Sussex	Hardyston Twp	
			Sparta Twp	
			Vernon Twp	
		Union	Berkely Heights Twp	
			New Providence Boro	
			Summit City	
(13) Rancocas Conservancy	Rancocas Watershed Acq	Burlington	All municipalities	165,000
(14) Raritan Headwaters Association	Raritan Headwaters Acq	Hunterdon	Alexandria Twp	250,000
			Bethlehem Twp	
			Califon Boro	
			Clinton Town	
			Clinton Twp	
			Delaware Twp	
			East Amwell Twp	
			Flemington Boro	
			Franklin Twp	
			Glen Gardener Boro	
			Hampton Twp	
			High Bridge Boro	
			Lebanon Boro	

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			Lebanon Twp	
			Raritan Twp	
			Readington Twp	
			Tewksbury Twp	
			Union Twp	
			West Amwell Twp	
		Morris	Chester Boro	
			Chester Twp	
			Mine Hill Twp	
			Mendham Boro	
			Mendham Twp	
			Mount Arlington Twp	
			Mount Olive Twp	
			Randolph Twp	
			Roxbury Twp	
			Washington Twp	
		Somerset	Bedminster Twp	
			Bernards Twp	
			Bernardsville Boro	
			Branchburg Twp	
			Bridgewater Twp	
			Far Hills Boro	
			Hillsborough Twp	
			Peapack-Gladstone Boro	
			Raritan Boro	
(15) Ridge and Valley Conservancy	Open Space Conservation Plan	Sussex	Andover Boro	250,000
			Andover Twp	
			Frankford Twp	
			Fredon Twp	
			Green Twp	
			Hampton Twp	
			Hardyston Twp	
			Lafayette Twp	
			Sandyston Twp	
			Stillwater Twp	
			Wantage Twp	
		Warren	Allamuchy Twp	
			Blairstown Twp	
			Frelinghuysen Twp	
			Hardwick Twp	
			Hope Twp	
			Knowlton Twp	
			Mansfield Twp	
			White Twp	
(16) South Jersey Land and Water Trust	South Jersey Watersheds	Gloucester	All municipalities	75,000
		Salem	Carney's Point Twp	
			Oldmans Twp	
			Pilesgrove Twp	
(17) Tewksbury Land Trust	Land Acq	Hunterdon	Tewksbury Twp	196,447
(18) The Land Conservancy of New Jersey	Priority Areas Acq	Bergen	Franklin Lakes Boro	500,000
			Mahwah Twp	
			Oakland Twp	
		Essex	Bloomfield Twp	
			Caldwell Boro	
			Livingston Twp	
			West Orange Twp	
		Middlesex	Woodbridge Twp	
		Morris	Boonton Twp	
			Chatham Boro	
			Chatham Twp	

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			Denville Twp	
			East Hanover Twp	
			Florham Park Boro	
			Hanover Twp	
			Jefferson Twp	
			Kinnelon Boro	
			Lincoln Park Boro	
			Madison Boro	
			Mine Hill Twp	
			Montville Twp	
			Morris Twp	
			Morristown Town	
			Mount Olive Twp	
			Parsippany-Troy Hills Twp	
			Pequannock Twp	
			Randolph Twp	
			Riverdale Boro	
			Rockaway Twp	
			Roxbury Twp	
			Washington Twp	
		Passaic	Ringwood Boro	
			West Milford Twp	
		Somerset	Bernardsville Boro	
			Peapack-Gladstone Boro	
		Sussex	Andover Boro	
			Andover Twp	
			Byram Twp	
			Frankford Twp	
			Fredon Twp	
			Green Twp	
			Hampton Twp	
			Hopatcong Boro	
			Lafayette Twp	
			Sparta Twp	
			Stillwater Twp	
			Vernon Twp	
		Warren	Allamuchy Twp	
			Blairstown Twp	
			Franklin Twp	
			Frelinghuysen Twp	
			Greenwich Twp	
			Hardwick Twp	
			Harmony Twp	
			Hope Twp	
			Pohatcong Twp	
			White Twp	
(19) The Watershed Institute	Watershed Connectors	Mercer	Hopewell Boro	250,000
			Hopewell Twp	
			Pennington Boro	
			Princeton Boro	
(20) Trust For Public Land	Project Priority Areas	Atlantic	Absecon City	500,000
			Egg Harbor City	
			Egg Harbor Twp	
			Galloway Twp	
			Hamilton Twp	
			Linwood City	
			Northfield City	
			Pleasantville City	
			Port Republic City	
			Somers Point City	
		Bergen	All municipalities	
		Burlington	All municipalities	

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Camden	All municipalities
Cumberland	All municipalities
Essex	All municipalities
Gloucester	All municipalities
Hudson	All municipalities
Hunterdon	All municipalities
Mercer	Hamilton Twp Robbinsville Twp
Middlesex	Carteret Boro Old Bridge Twp Woodbridge Twp
Monmouth	Aberdeen Twp Allenhurst Boro Allentown Boro Asbury Park City Atlantic Highlands Boro Avon-by-the-Sea Boro Belmar Boro Bradley Beach Boro Brielle Boro Deal Boro Fair Haven Boro Freehold Boro Freehold Twp Hazlet Twp Highlands Boro Howell Twp Interlaken Boro Keansburg Boro Keyport Boro Loch Arbour Village Long Branch City Manasquan Boro Matawan Boro Middletown Twp Millstown Twp Monmouth Beach Boro Neptune Twp Rumson Boro Sea Bright Boro Sea Girt Boro Spring Lake Boro Spring Lake Heights Boro Union Beach Boro Upper Freehold Twp Wall Twp
Morris	All municipalities
Ocean	Barneгат Twp Barneгат Light Boro Berkeley Twp Brick Twp Eagleswood Twp Jackson Twp Lacey Twp Lakewood Twp Little Egg Harbor Twp Long Beach Twp Manchester Twp Ocean Twp Plumsted Twp Stafford Twp

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			Toms River Twp Tuckerton Boro	
		Passaic	All municipalities	
		Salem	All municipalities	
		Somerset	All municipalities	
		Sussex	All municipalities	
		Union	Linden City Rahway City	
		Warren	All municipalities	
(21) Washington Twp Land Trust	Schooley's Mountain Corridor And Vicinity	Morris	Washington Twp	250,000
(22) YMCA Camp Ockanickon	Camp Ockanickon Conservation and Recreation Program	Burlington	Medford Twp Shamong Twp	250,000
TOTAL				\$6,147,219

1

2 c. The following projects for the development of lands for
3 recreation and conservation purposes are eligible for funding with
4 the moneys appropriated pursuant to subsection a. of this section:

5

Nonprofit Organization	Project	County	Municipality	Approved Amount
Branch Brook Park Alliance	Ballantine Gates Improvements	Essex	Newark City	\$250,000
Cooper's Ferry Partnership	N. Camden Waterfront Park II	Camden	Camden City	250,000
Friends of Passaic County Parks, Inc.	Highlands Field Improvements	Passaic	West Milford Twp	250,000
Hamilton Partnership for Paterson.	Alexander Hamilton Visitor Center Landscaping	Passaic	Paterson City	250,000
Passaic River Rowing Association	Passaic River Rowing Association Boathouse	Bergen	Lyndhurst Twp North Arlington Boro	250,000
Reeves-Reed Arboretum	Reeves-Reed Arboretum Improvements	Union	Summit City	250,000
South Mountain Conservancy	Locust Grove Improvements	Essex	Millburn Twp	174,230
Toms River Field of Dreams	Toms River Field of Dreams	Ocean	Toms River	250,000
TOTAL				\$1,924,230

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1 d. The following stewardship activity projects are eligible for
2 funding with the moneys appropriated pursuant to subsection a. of
3 this section:

4

Nonprofit Organization	Project	County	Municipality	Approved Amount
Flat Rock Brook Nature Association	Boardwalk Trail Restoration	Bergen	Englewood City	\$72,500
Friends of Passaic County Parks, Inc.	Rea House Historic Landscape Restoration	Passaic	Hawthorne Boro	250,000
Harding Land Trust	Gatehouse Environmental Enhancement Project	Morris	Harding Twp	60,000
Hunterdon Land Trust	Dvoor Farm Stewardship	Hunterdon	Raritan Twp	168,533
The Land Conservancy of New Jersey	West Brook Preserve Riparian Restoration Project	Passaic	West Milford Twp	130,000
The Watershed Institute	Habitat Restoration and Environmental Education Project	Mercer	Hopewell Twp	120,200
TOTAL				\$801,233

5

6 e. Any transfer of any funds, or change in project sponsor, site,
7 or type, listed in subsection b., c., or d. of this section shall require
8 the approval of the Joint Budget Oversight Committee or its
9 successor.

10 f. To the extent that moneys remain available after the projects
11 listed in subsection b., c., or d. of this section are offered funding
12 pursuant thereto, any project of a qualifying tax exempt nonprofit
13 organization that previously received funding appropriated or
14 reappropriated from any Green Acres bond act, any annual
15 appropriations act, or the Garden State Green Acres Preservation
16 Trust Fund for recreation and conservation purposes shall be
17 eligible to receive additional funding, as determined by the
18 Department of Environmental Protection, subject to the approval of
19 the Joint Budget Oversight Committee or its successor.

20 g. There is reappropriated to the Department of Environmental
21 Protection the unexpended balances, due to project withdrawals,
22 cancellations, or cost savings, of the amounts appropriated or
23 reappropriated from any Green Acres bond act, any annual
24 appropriations act, or the Garden State Green Acres Preservation
25 Trust Fund to assist qualifying tax exempt nonprofit organizations
26 to acquire or develop lands for recreation and conservation

1 purposes, for the purposes of: (1) this section; and (2) providing
2 additional funding, as determined by the Department of
3 Environmental Protection, to any project of a qualifying tax exempt
4 nonprofit organization that previously received funding
5 appropriated or reappropriated from any Green Acres bond act, any
6 annual appropriations act, or the Garden State Green Acres
7 Preservation Trust Fund for recreation and conservation purposes,
8 subject to the approval of the Joint Budget Oversight Committee or
9 its successor. Any such additional funding provided from a Green
10 Acres bond act may include administrative costs.

11 h. For the purposes of this section:

12 “Garden State Green Acres Preservation Trust Fund” means the
13 fund established pursuant to section 19 of P.L.1999, c.152
14 (C.13:8C-19).

15 “Green Acres bond act” means P.L.2009, c.117, P.L.2007, c.119,
16 P.L.1995, c.204, P.L.1992, c.88, P.L.1989, c.183, P.L.1987, c.265,
17 and P.L.1983, c.354.

18 “Preserve New Jersey Green Acres Fund” means the fund
19 established pursuant to section 6 of the “Preserve New Jersey Act,”
20 P.L.2016, c.12 (C.13:8C-48).

21 “Stewardship activity” means the same as the term is defined in
22 section 3 of the “Preserve New Jersey Act,” P.L.2016, c.12
23 (C.13:8C-45).

24

25 2. There is appropriated from the General Fund to the
26 “Preserve New Jersey Green Acres Fund,” established pursuant to
27 section 6 of the “Preserve New Jersey Act,” P.L.2016, c.12
28 (C.13:8C-48), an amount determined by the State Treasurer to be
29 necessary to implement the provisions of this act.

30

31 3. This act shall take effect immediately.

32

33

34

STATEMENT

35

36 The bill appropriates \$8,872,682 to the Department of
37 Environmental Protection (DEP) to provide grants to various
38 nonprofit entities to acquire or develop lands for recreation and
39 conservation purposes.

40 The funding in this bill is provided from constitutionally
41 dedicated corporation business tax (CBT) revenues pursuant to
42 Article VIII, Section II, paragraph 6 of the State Constitution,
43 approved by the voters of the State in November 2014, including
44 the unexpended balances in the Diesel Risk Mitigation Fund –
45 Constitutional Dedication and Diesel Risk Mitigation Fund
46 Administrative Costs – Constitutional Dedication accounts made
47 available for these purposes pursuant to P.L.2019, c.150 (i.e., the
48 FY2020 annual appropriations act). The “Preserve New Jersey

1 Act,” P.L.2016, c.12 (C.13:8C-43 et seq.), implements the
2 constitutional dedication of CBT revenues for open space, farmland,
3 and historic preservation. The “Preserve New Jersey Green Acres
4 Fund” was established by section 6 of the “Preserve New Jersey
5 Act.” The act provides that a certain amount of the portion of
6 dedicated CBT revenues allocated each year for the Green Acres
7 program is to be used for: the acquisition of lands for open space,
8 including Blue Acres projects, and development projects on State
9 lands administered by the DEP’s Division of Fish and Wildlife and
10 Division of Parks and Forestry; grants and loans to fund local
11 government open space acquisition and development projects; and
12 grants to nonprofit entities to acquire or develop lands for
13 recreation and conservation purposes. This bill appropriates funds
14 to be used to provide grants to nonprofit entities to acquire or
15 develop lands for recreation and conservation purposes. Further, of
16 the funding allocated for acquisition and development projects by
17 nonprofit entities, a certain percentage is to be used to fund
18 stewardship activities undertaken by nonprofit entities. A
19 “stewardship activity” is defined in the “Preserve New Jersey Act”
20 as an activity, which is beyond routine operations and maintenance,
21 undertaken to repair or restore lands acquired or developed for
22 recreation and conservation purposes for the purpose of enhancing
23 or protecting those lands for recreation and conservation purposes.

24 Of the amount appropriated by the bill to provide grants to
25 various nonprofit entities: \$6,147,219 is allocated for acquisition
26 projects; \$1,924,230 is allocated for park development projects; and
27 \$801,233 is allocated for stewardship activity projects.

28 The projects listed in this bill have been approved by the DEP
29 and the Garden State Preservation Trust.

30 The bill also would allow the DEP to re-distribute certain other
31 moneys, which have been returned to the department due to project
32 withdrawals, cancellations, or cost savings, for the purpose of
33 providing additional funding, for recreation and conservation
34 purposes, to previously approved and funded projects of nonprofit
35 entities, subject to the approval of the Joint Budget Oversight
36 Committee. This additional funding, if provided from a Green Acres
37 bond act, may include administrative costs.